

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

DR. XIMENA P GALARZA-RIOS, MD,

Plaintiff,

v.

No. CV 20-813 MIS/CG
consolidated with
No. CV 20-900 WJ/CG

OPTUMCARE NEW MEXICO, LLC, et al.,


Defendants.

ORDER FOR A STATUS REPORT

THIS MATTER is before the Court upon the parties' *Fourth Joint Status Report*, (the "JSR"), (Doc. 50), filed on December 10, 2021. In the JSR, the parties explain that Plaintiff Dr. Galarza-Rios "is considering whether to withdraw" her *Motion to Dismiss* (the "Motion to Dismiss"), (Doc. 4 in 20-cv-900), "or seek a decision on the merits from the Court, either of which would trigger a lift of the stay in this matter." (Doc. 50 at 1). The parties further indicate that they will "notify the Court if she seeks a ruling on the merits or withdraws the motion no later than December 23, 2021." *Id.* To date, the parties have not notified the Court regarding this matter.

IT IS THEREFORE ORDERED that the parties shall submit to the Court by no later than **Monday, January 10, 2022**, a status report notifying the Court whether Plaintiff Dr. Galarza-Rios seeks a ruling on the merits of her pending Motion to Dismiss or intends to withdraw the motion. The Motion to Dismiss will remain pending until the parties have so notified the Court.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'Carmen E. Garza', with a long horizontal flourish extending to the right.

THE HONORABLE CARMEN E. GARZA
CHIEF UNITED STATES MAGISTRATE JUDGE